

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

**Consent  
Order of Restitution**

v.

JONATHAN GHERTLER

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23 Cr. 100 (ER)

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Adam Sowlati, Assistant United States Attorney, of counsel; the presentence investigation report; the defendant's conviction on Count One of the information; and all other proceedings in this case, it is hereby ORDERED that:

**1. Amount of Restitution**

Jonathan Ghertler, the defendant, shall pay restitution in the total amount of \$1,065,000, pursuant to 18 U.S.C. §§ 3663, 3663A, and 3664, to the victims of the offense charged in Count One. The name, address, and specific amounts owed to the victim are set forth in the Schedule of Victims, attached hereto as Schedule A. Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of Court is authorized to send payments to the new address without further order of this Court.

Restitution is not joint and several with any other defendants or with others not named herein.

**2. Schedule of Payments**

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the defendant; and any financial obligations of the defendant;

including obligations to dependents, the defendant shall pay restitution in the manner and according to the schedule that follows:

In the interest of justice, restitution will be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2).

While serving the term of imprisonment, the defendant shall make installment payments toward restitution and may do so through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Plan (IFRP). Any unpaid amount remaining upon release from prison will be paid in installments of at least 15 percent of the defendant's gross income.

This schedule is without prejudice to the Government taking enforcement actions, pursuant to 18 U.S.C. § 3613, to the extent warranted.

**3. Payment Instructions**

The defendant shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at <https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the "SDNY Clerk of Court" and mailed or delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendant shall write his/her name and the docket number of this case on each check or money order.

**4. Change in Circumstances**

The defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Program) of (1) any change of the defendant's name, residence, or mailing address or (2) any

material change in the defendant's financial resources that affects the defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k).

**5. Term of Liability**


The defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

**6. Sealing**

Consistent with 18 U.S.C. §§3771(a)(8) & 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of the victim, the Schedule of Victims, attached hereto as Schedule A, shall be filed under seal, except that copies may be retained and used by or disclosed to the listed victims, the Government, the investigating agency, the Clerk's Office, and the Probation Office, as needed to effect and enforce this Order, without further order of this Court.


AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

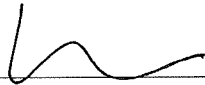
By:   
Adam Sowlati  
Assistant United States Attorney  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel.: (212) 637-2438

June 27, 2023  
DATE

JONATHAN GHERTLER


By:   
Jonathan Ghertler

6/29/23  
DATE

By:   
Lisa Scolari, Esq.  
Law Office of Lisa Scolari  
20 Vesey Street Suite 400  
New York, NY 10007

6/29/23  
DATE

SO ORDERED:

  
HONORABLE EDGARDO RAMOS  
UNITED STATES DISTRICT JUDGE

9/27/2023  
DATE